

EP1613  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Nyqvist, et al.  
Serial No. : 09/077,718 Examiner: Solola, T.  
Filed : June 8, 1998 Group Art Unit: 1613  
For : A NEW SALT

#5  
9-2299

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to : The Assistant Commissioner for Patents, Washington, D.C. 20231, on September 14, 1999.

Richard J. Sterner

Agent Name

Signature

35,372

PTO Reg. No.

September 14, 1999

Date of Signature

The Assistant Commissioner for Patents  
Washington, D.C. 20231

RESPONSE TO OFFICE ACTION

Sir:

This is in response to the Office Action mailed July 30, 1999.

The present application was filed under 35 U.S.C. §371. 35 U.S.C. §371(b) states that the National Stage of such an application shall commence with the expiration of the applicable time limit under PCT Article 22(1) or (2) or 39(1)(a) unless expressly requested otherwise in accordance with 35 U.S.C. §371(f). In the transmittal letter for the instant application, not only was early processing not requested but Applicants expressly requested that the National Stage processing of the application not commence until the expiration of the applicable

time limit under the appropriate above-cited PCT articles. In the present case, the applicable time limit has not yet expired.

In view of the foregoing, the processing by the Application Branch and the subsequent issuance of the Office Action were premature. Accordingly, the application should be returned to the U.S. Designated/Elected Office and not be processed until the expiration of the applicable time limit under PCT Article 22 or 39(1).

No fee should be due in connection with this communication. However, should it be deemed that a fee is required for any reason, the Assistant Commissioner is hereby authorized to charge it to Deposit Account No. 23-1703.

Dated: September 14, 1999

Respectfully submitted,



Richard J. Sterner  
Reg. No. 35,372

White & Case LLP  
1155 Avenue of the Americas  
New York, New York 10036  
(212) 819-8783